

REMARKS

Reconsideration of the above-identified application is respectfully requested in view of the foregoing amendments and the following remarks.

The Pending Claims

Claims 1-28 are currently pending. Claims 1-28 are directed to direct-to-plate methods of lithographic printing with a reusable substrate having a hydrophilic surface.

Summary of the final Office Action dated July 18, 2003

Claim 7 was rejected as unpatentable under 35 U.S.C. § 112, ¶1 for containing subject matter which was not described in the specification.

Claims 1-7 were rejected as unpatentable under 35 U.S.C. § 103(a) over Vermeersch et al. (i.e., EP 802,457) in view of Nussel et al. (i.e., U.S. 5,816,161) and Timpe et al. (i.e., U.S. 5,698,360).

Applicants timely submitted responses to the final Office Action.

Summary of the Advisory Action dated October 27, 2003

The Advisory Action did not enter the amendments set forth in applicants' responses to the final Office Action on several grounds. Applicants thus submit this amendment in connection with a RCE to obtain consideration of the claims presented in the prior after-final responses on the merits.

Discussion of the 35 U.S.C. § 112, ¶1 Rejection in the final Office Action

The Advisory Action advised that the rejection of claim 7 set forth in the final Office Action has been overcome.

Discussion of the 35 U.S.C. § 103(a) Rejection of Claims 1-7 in the final Office Action

(a) Claims 1-7

The obviousness rejection of claim 1, and those claims dependent on claim 1, over Vermeersch et al. ("Vermeersch") in view of the Nussel et al. ("Nussel") and Timpe et al. ("Timpe"), are improper for the following reasons.

Vermeersch and Nussel do not disclose the step of treating a recycled substrate by supplying an aqueous solution having a pH less than 7. To teach this limitation, the Examiner relies upon Timpe. However, one skilled in the art would not be motivated to

combine Vermeersch and Nussel with Timpe. Vermeersch and Nussel relate to printing substrates that are reusable or recyclable. Timpe, on the other hand, is neither directed to reusable nor recyclable printing substrates. Timpe instead teaches the preparation of substrates to be used as supports for printing plates, said preparation including treatment with a hydrochloric acid electrolyte. Timpe does not teach the reuse or recycling of the substrate. Because these teachings are divergent, there is no motivation set forth in the references themselves that would justify the combination asserted in the Office Action. The extrapolation of Timpe's suggestion to the present invention can only be done with improper hindsight.

The allowance of claims 1-7 is respectfully solicited.

(b) Claims 8 and 20-28

Applicants submit claims 8 and 20-28 for consideration on the merits. Support for the subject matter described therein may be found at, e.g., page 6 of the application.

The method described in claims 8 and 20-28 is neither disclosed nor taught by the cited prior art, either alone or in combination. Favorable action on claims 8 and 20-28 is respectfully solicited.

(c) Claims 9-19

Applicants also submit claims 9-19 for consideration the merits. The methods described in claims 9-19 are neither disclosed nor taught by the cited prior art, either alone or in combination. Favorable action on these claims is also solicited.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

In re Appln. of Verschueren et al.
Application No. 10/016,960

Respectfully submitted,



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